

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Smith *et al.*

Serial No. 10/786,466

Filed: February 25, 2004

Confirmation No. 9331

For: **FIRE RESISTANT CONSTRUCTION**

Examiner: J. Chapman

Art Unit: 3635

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

**PRELIMINARY AMENDMENT ACCOMPANYING REQUEST FOR CONTINUING
EXAMINATION AND PETITION FOR EXTENSION OF TIME**

This Amendment is responsive to the Advisory Action following Applicants' Response After Final filed September 22, 2010, which was filed in response to the Final Office Action dated June 22, 2010.

Please provide a one-month extension of time up to and including October 22, 2010. The fee of \$130 is submitted herewith. If any additional fees for the accompanying response are required, Applicants request that this be considered a Petition therefore. The Commissioner is hereby authorized to charge any additional fees that may be required to Deposit Account 501923.

Amendments to the Claims begin on page 2 of this paper.

Remarks begin on page 9 of this paper.